

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA,

Plaintiff,

ORDER

03-CR-6142L

V.

JOSE ALBARRAN,

Defendant.


By order entered December 15, 2005, this Court affirmed the July 22, 2005 Decision and Order of United States Magistrate Judge Jonathan W. Feldman disqualifying attorney John R. Parrinello and members of the Parrinello law firm from representing Jose Albarran due to a conflict of interest. Familiarity with these decisions and the Court's prior decision on this subject of November 16, 2005 are presumed.

The day after I entered the December 15 Decision and Order, I received, via facsimile, a letter/affidavit from members of the Parrinello firm that was apparently being prepared at the time my December 15 order was received. That letter/affidavit responds to the affidavit submitted by the Parrinello firm's former client, Edmund Guadalupe.

In the cover sheet attached to the facsimile of the Parrinello firm's most recent affidavit, there is a request for "reargument." I consider the application as a motion for reconsideration. The motion

is denied. I have considered all the matters submitted to date, and I believe that the facts and the law compel the disqualification of John Parrinello and the Parrinello law firm for the reasons set forth in Magistrate Judge Feldman's July 22, 2005 Decision and Order appealed from, as well as this Court's decisions of November 16, 2005 and December 15, 2005.

IT IS SO ORDERED.



DAVID G. LARIMER
United States District Judge

Dated: Rochester, New York
December 20, 2005.